

Honorable John C. Coughenour

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON AT SEATTLE

PUGET SOUND ELECTRICAL WORKERS
HEALTHCARE TRUST; PUGET SOUND
ELECTRICAL WORKERS PENSION TRUST;
PUGET SOUND ELECTRICAL WORKERS
401(k) SAVINGS PLAN TRUST; and PUGET
SOUND ELECTRICAL JOINT
APPRENTICESHIP AND TRAINING TRUST,

Plaintiffs,

v.

FARGO ELECTRICAL, INC., a Washington
corporation; RAYMOND RESTREPO, an
individual and a/k/a RAYMOND PARSON a/k/a
CLAYTON GRIFFIN a/k/a DAVID PARSONS
a/k/a RAYMOND PARSONS a/k/a RAYMOND
JOSEPH PARSONS a/k/a JOSEPH PARSONS;
and RLI INSURANCE COMPANY, an Illinois
corporation,

Defendants.

Case No. 2:21-cv-01051-JCC

ORDER OF DISMISSAL WITHOUT
PREJUDICE

This matter is before the Court on the motion of Plaintiffs for an order of dismissal under Fed. R. Civ. P. 41(a)(2) as the remaining Parties have settled this matter. In addition to seeking an order of dismissal, Plaintiffs seek the Court's retention of ancillary jurisdiction to enforce the terms of the Parties' settlement, which includes an installment payment plan, personal guaranty, and

1 confession of judgment covering delinquent fringe benefit contributions alleged as owed under
2 ERISA.

3 The Court has reviewed the motion, as well as the pleadings, files, and court records in this
4 matter. Being otherwise fully advised, the Court FINDS:

- 5 1. Defendants Fargo Electrical, Inc. and Raymond Restrepo have not appeared
6 in this matter and have not answered the Complaint;
- 7 2. Per the allegations contained in the Complaint, this dispute concerns
8 delinquent fringe benefit contributions allegedly owed by Fargo Electrical,
9 Inc. and Raymond Restrepo under ERISA; and
- 10 3. The Court has exclusive jurisdiction over claims for delinquent fringe
11 benefit contributions under ERISA, 29 U.S.C. §1132(e)(1).

12 Based on the above findings, as well as the pleadings, files, and court records in this matter,
13 the Court also ORDERS:

- 14 1. Plaintiffs' motion is GRANTED;
- 15 2. The Court retains jurisdiction to enforce payment of the delinquent fringe
16 benefit contributions under ERISA through the Parties settlement
17 agreement, including the installment payment plan, personal guaranty, and
18 confession of judgment. *Kokkonen v. Guardian Life Insurance Company*
19 *of America*, 511 U.S. 375, 381, 114 S.Ct. 1673, 1677, 128 L.Ed.2d 391
20 (1994); and
- 21 3. The Clerk of Court is directed to close the case.

22 DATED this 17th day of November 2021.

23 

John C. Coughenour
UNITED STATES DISTRICT JUDGE